



ATTENTION

Probate cases on this calendar are currently under review by the probate examiners. Review of some probate cases may not be completed and therefore have not been posted.

If your probate case has not been posted please check back again later.

Thank you for your patience.

(1) First Account Current and Report of Conservator and Petition for its Settlement,
 (2) for Approval of Sale of Depreciating Property, (3) for Approval of Donation,
 and (4) for Allowance of Conservator's and Attorney's Compensation

Age: 89 years		IRENE V. SANTOS , daughter and Conservator of the Person and Estate appointed on 11/8/2012 with bond set at \$123,895.00 , is Petitioner.	NEEDS/PROBLEMS/COMMENTS: Continued from 9/8/2014. The following issues from the last hearing remain: 1. Court records do not show proof of reduced bond of \$35,000.00 has been filed. <i>Clarifying and Explanatory Declaration</i> filed on 9/8/2014 states the petition to reduce bond was filed on 6/9/2014 and was granted on 8/7/2014, with the order presumably being signed on 8/27/2014. The Court requires the filing of proof of the reduced bond pursuant to Probate Code § 2329, separately from the order reducing bond, indicating that the surety, HCC/U.S. SPECIALTY INSURANCE COMPANY , has reduced the bond amount from \$123,895.20 to \$35,000.00 . This filing proof of reduced bond is standard practice required by this Court to demonstrate that the conservatorship is bonded for the specific sum, and is not paying premiums for the higher bond, but instead paying lower bond premiums for the reduced bond amount. 2. Need proposed order pursuant to Local Rule 7.1.1 (F) providing that a proposed order shall be submitted with all pleadings that request relief. ~Please see additional page~
Cont. from 090814			
Aff.Sub.Wit.			
✓ Verified			
✓ Inventory			
Proof of Bond	X		
Not.Cred.			
✓ Notice of Hrg			
✓ Aff.Mail			
Aff.Pub.			
Sp.Ntc.		Account period: 12/1/2012 - 6/30/2014 Accounting - \$223,182.60 Beginning POH - \$164,620.32 Ending POH - \$ 47,101.81 (\$42,601.81 is cash) Conservator - \$13,425.00 (per Declaration attached as Exhibit B1; for 447.5 hours @ \$30.00 per hour;) Attorney - \$10,300.00 (per Declaration attached as Exhibit A1; for 41.20 hours @ \$250.00 per hour, from 9/12/2013 to 7/28/2014;) Bond - \$123,895.20 (Order After Hearing filed 8/27/2014 finds bond is reduced to \$35,000.00 ; bond is sufficient if Court approves requested fees.) ~Please see additional page~	
Pers.Serv.			
Conf. Screen			
Letters			
Duties/Supp			
Objections			
Video Receipt			
CI Report			
✓ 2620			
Order	X		
Aff. Posting		Reviewed by: LEG Reviewed on: 10/3/14 Updates: Recommendation: File 1 - Murillo	
Status Rpt			
UCCJEA			
Citation			
FTB Notice			

Petitioner prays for an order:

1. Approving and settling the First Account;
2. Approving all acts and transactions of the Conservator relating to the conservatorship;
3. Approving and confirming the sale of the Conservatee's recreational vehicle [*appraised at \$12,500.00 and sold for \$1,000.00*] as a sale of a depreciating asset;
4. Approving and confirming the donation to the local Salvation Army of Conservatee's furniture and furnishings [*valued at \$960.00*] as a donation of depreciating assets;
5. Authorizing and directing Conservator to pay herself **\$13,425.00** as compensation for her services rendered; and
6. Authorizing directing Conservator to pay the Attorney fees of **\$10,300.00** as compensation for services rendered.

Court Investigator Dina Calvillo's Report was filed 1/6/2014 and recommends the conservatorship appears to continue to be warranted and is in the best interest of the Conservatee.

NEEDS/PROBLEMS/COMMENTS, continued: These notes include notes that were originally prepared for the last hearing held on 9/8/2014, with the declarations subsequently filed by the Petitioner noted in italics, for the Court's reference in considering the accounting as presented and supplemented. Rather than requesting an amended accounting be filed to incorporate the supplemented information, the accounting has been re-reviewed in conjunction with the subsequently filed supplemental declarations, and accordingly the accounting appears to be more complete and satisfactory in its explanations of the schedules submitted for the Court's consideration and approval. However, the proposed order that is requested to be submitted by Attorney Boyajian should include the repayments to the Conservatorship of \$195.44 and \$500.00 (as noted below.)

Notes Re Reimbursement to the Conservatorship Estate:

- *Schedule C, Disbursements* shows **\$195.44** was paid to Attorneys Tomassian, Pimentel & Shapazian on 10/16/2013 for legal consultation fees in violation of Probate Code § 2647, which provides no attorney fees may be paid from the estate of the Conservatee without prior Court order. The estate of the Conservatee is not obligated to pay attorney fees established by any engagement agreement or other contract until it has been approved by the Court. *Clarifying and Explanatory Declaration* filed on 9/8/2014 states the Conservator had intentions at the time of the payment to search for and obtain a new attorney and was under the impression that her actions were furthering the objectives and goals of the estate and Conservatee; Conservator submits that she will reimburse the estate \$195.44 for such disbursement.
- *Schedule C, Disbursements* shows **\$500.00** was paid to Attorney Thomas Boyajian on 10/16/2013, and **\$840.00** was paid to Attorney Thomas Boyajian on 2/6/2014 (totaling **\$1,340.00**) for Conservatorship legal fees in violation of Probate Code § 2647, which provides no attorney fees may be paid from the estate of the Conservatee without prior Court order. *Clarifying and Explanatory Declaration* filed on 9/8/2014 states that the **\$500.00** legal fees paid to Attorney Thomas Boyajian were in fact consultation fees for 2 hours of consultation offered to the Conservator prior to his being hired and becoming attorney of record; the Conservator made payments from the conservatorship assets instead of her own personal assets; therefore, the Conservator will reimburse the estate \$500.00 for such legal consultation fees. The **\$840.00** reimbursement was erroneously phrased as conservatorship legal fees, though the disbursement was related to Court filing fees and publication fees in relation to the sale of Conservatee's home; thus disbursement does not violate Probate Code § 2647 (receipts attached as Attachment B).

~Please see additional page~

Notes Re Questionable Expenditures: Schedule C, Disbursements shows **\$163,620.79** was spent during the one and one-half year account period (12/1/2012 to 6/30/2014) and contains the following expenditures noted for the last hearing as being questionable, such that the Conservator Court may require explanation and/or reimbursement to the Conservatorship estate:

- 4/23/2013 payment for "What is this (Conservatorship Payment)" [quote from original] in the amount of **\$833.00**. Clarifying and Explanatory Declaration filed on 9/8/2014 states this disbursement was made to pay the premium on a surety bond to suffice the requirement of bond for this conservatorship (copy of cashier's check at Attachment C.)
- 5/10/2013 payment to Golden Living for "Something" [quote from original] in the amount of **\$7,910.00**; payment on 8/14/2013 to Golden Living for "Something" [quote from original] in the amount of **\$15,820.00**. Clarifying and Explanatory Declaration filed on 9/8/2014 states the original phrased payments for "something" were intended by the drafter to go back and make the proper entry but failed prior to the filing to make the entry; both disbursements were in fact to pay the Conservatee's skilling nursing home living.
- 6/14/2013 payment of **\$21.96** and 12/23/2013 payment of **\$589.29** (totaling **\$611.25**) to Data Central Collection Bureau. Clarifying and Explanatory Declaration filed on 9/8/2014 states these payments to a collection agency for Conservatee's outstanding bills to American Ambulance and Community Medical Imaging (billing invoices and payment receipts attached as Attachment D).
- 3/24/2014 payment to Golden Living for "Conservatee's Residence Fee" in the amount of **\$44,130.00**. Clarifying and Explanatory Declaration filed on 9/8/2014 states the Conservatee was behind on her payments due to the pending sale of her home and the ability to pay the outstanding balance did not become viable until the home was sold.

Notes Re Exhibit A1-A6, Declaration of Thomas M. Boyajian, Request for Attorney Fees, which contains itemizations that include:

- Charge of **\$500.00** total solely for work on the publication in Business Journal for publishing the notice of sale of the Conservatee's real property. Clarifying and Explanatory Declaration filed on 9/8/2014 states the sale of Conservatee's home required Attorney Boyajian to spend many hours over a seven day span preparing the template going back and forth with the Business Journal trying to fix and correct errors made to the proposed template; instead of billing the estate the full amount of time spent, he only billed a nominal fee.
- Total hours of **41.20** at **\$250.00** per hour stated as the hours representing the charge of **\$10,300.00** for Attorney fees appears to be incorrect, as the calculation of hours itemized actually totals **37.55** hours representing a charge of **\$9,387.50**, resulting in an overcharge of **\$912.50** to the Conservatorship estate for the requested attorney fees. Clarifying and Explanatory Declaration filed on 9/8/2014 states this was a technical error and the correct hours of **37.55** are the correct total hours, and compensation is requested for a total of \$9,387.50. Attorney Boyajian filed on 9/30/2014 an Amendment to Clarifying and Explanatory Declaration Previously filed on 9/6/2014, which states upon review of his total hours, he would like to explain to the Court the likely cause of the technical error; initially when he drafted his attorney hours declaration his hours spent on this case exceeded 41.20 total hours; after some thought and considering the overall circumstances of the estate, he decided to take a "pay cut" and reduce the hours so it could be "fair" to the estate and better fit the circumstances of the estate; he would like to assure the Court that he has already brought down the total hours spent on this case and discounted his hours a total of 12.1 hours not billed for [itemized]; thus the original \$10,300.00 request was fair and equitable and he requests that amount.

~Please see additional page~

Notes Re Depletion of Conservatorship Estate Assets:

- Paragraph 10 of the *Petition* states that "estate assets are being depleted rather rapidly due to the 24-hour, 7 day-a-week specialized skilled nursing attention the Conservatee requires to prosper. As such, the initial bond amount required by the Court was set on the rather high value of the estate at that time. Currently, the estate value is worth much less." Noted for or the Court's reference is *Schedule C, Disbursements* showing itemizations for skilled nursing home payments of **~\$87,697.31** during this account period of the **\$163,620.79** total expenditures. **Clarifying and Explanatory Declaration filed on 9/8/2014** states that as presented in *Schedule C, Disbursements*, the total amount of expenditures spent on the needed specialized nursing facilities to house the Conservatee and provide needed attention equates to a whopping \$129,177.83 for this accounting period; herein lies where the majority of estate funds are being spent; there is not alternative to the extinguishment of estate assets because the Conservatee will continue to require such specialized nursing housing for which the price is extremely high; Conservator has attempted and applied on different occasions for government entitlements to step in and pick up the tab, but Conservatee's assets cause her not to qualify for such entitlements; as the Conservatorship estate assets are lessened, the Conservatee will in turn start to qualify for government entitlements which will then pick up the tab.
- More specifically informing the Court regarding depletion of assets is the **Petition to Reduce Amount of Bond filed 6/9/2014**, stating that "the bond in the amount of **\$123,895.20** based on the value of the estate as of 6/1/2014 is excessive; the estate has been reduced significantly because: (1) The Conservatee has needed homecare at the cost of **\$2,000.00** per month for a year; (2) For the past year and a half the Conservatee has lived in an assisted living facility center with the average monthly cost of **\$7,500.00**; (3) There have been expenses of **\$10,000.00** to pay off the encumbrance on the 1993 Fleetwood RV, and various other estate related expenses." The following observations are provided to assist the Court in determining the reasonableness of having paid off the 1993 RV, which Paragraph 7 of the *Petition* and the *Schedule D, Losses on Sales/Donations* state was sold for **\$1,000.00**, resulting in a loss on sale of **\$11,500.00**, and for which the Conservator requests confirmation and approval of the sale as depreciating property:
 - It is unclear the basis upon which the Conservator chose to use **\$10,000.00** of Conservatee's assets to pay off the encumbrance on the **1993 RV** which Conservatee could not use and which was valued on the *Inventory and Appraisal* at **\$12,500.00** as of **11/8/2012**. The instant *Petition* states the 1993 RV was sold for **\$1,000.00**; it appears that this expenditure was not a frugal use of Conservatee's limited estate funds. Based upon the large disbursements and amounts requested for Conservator's and Attorney fees, it appears that the Conservator and/or her Attorney are spending down the Conservatee's assets, but provide no reasonable explanation to justify the significant expenditures from the Conservatorship estate.

Clarifying and Explanatory Declaration filed on 9/8/2014 states the 1993 Fleetwood RV was reappraised at the request of the Conservator because the prior appraisal filed with the Court on 3/7/2013 grossly overstated the value of the 1993 Fleetwood RV at **\$12,500.00** and failed to account for all of the non-usable aspects and damage to the RV; [Reappraisal for Sale was filed on 9/8/2014] and was completed on 1/29/2014 by Probate Referee Rick P. Smith, with the new appraised value of the 1993 Fleetwood RV being **\$1,000.00**; the loss on sale mentioned in the accounting is superficial because the accounting used the original appraised value of the RV at **\$12,500.00**, when in fact the RV was not worth [that amount] and reappraised at **\$1,000.00**; the Conservator's rationale for selling the RV was because (1) The cost of repair to the RV was extremely high and not efficient for the estate; (2) The Conservatee is physically not able to use the RV anymore; and (3) The Conservator was starting to foresee storage fees being accrued against the estate for something not worth paying due to the reappraised value of the RV, thus the Conservator's acts were in line with promoting and preserving the estate; she was prudent and frugal in this aspect.

Attorney Boyajian filed on 9/30/2014 an Amendment to Clarifying and Explanatory Declaration Previously filed on 9/6/2014, which states that upon review of the issue regarding the unverified encumbrance relating to the Conservatee's RV, it was brought to his attention by the Conservator that the encumbrance was for an outstanding loan balance to Bank of America and said encumbrance was completely paid off by the Conservatee long before the inception of the Conservatorship; this the encumbrance did exist but it is moot in regards to the Conservatorship accounting; for purposes of the Conservatorship accounting and the new appraised value of the recreational vehicle set at \$1,000.00, the \$10,000.00 encumbrance should have absolutely no bearing on the accounting or on the question of whether the Conservator made the right decision in selling the RV.

Note Re Conservator's Commissions: Exhibit B1 entitled Declaration of Irene V. Santos, Request for Compensation contains the following itemizations set forth here as examples for the Court's consideration of the charges totaling **\$13,425.00** requested by the Conservator be paid from the estate for services including the sale of Conservatee's real property, visits to the care facility where her mother lives, marshalling assets, paying all bills promptly, managing the estate frugally, and "to compensate her for the time she missed work to attend court hearings amongst other things:"

- **12/1/2011 through 12/17/2012**, charge of **96** hours @ **\$30.00** per hour totaling **\$2,880.00**, for paying bills, driving to locations to pay bills, phone calls for medical appointments, shopping for Conservatee;
- **12/1/2011 through 6/15/2012** [dates **overlap** the dates noted above], charge of **120** hours @ **\$30.00** per hour totaling **\$3,600.00**, for hiring caregiver to assist Conservatee, checking in on Conservatee weekly to make sure groceries were bought and home was cleaned and to pay the caregiver;
- **1/1/2012 through 8/1/2012**, charge of **81** hours @ **\$30.00** per hour totaling **\$2,430.00**, for taking Conservatee to **18** doctor appointments both picking up and returning her home;
- **2/1/2013 through 6/1/2013**, charge of **9** hours @ **\$30.00** per hour totaling **\$270.00**, for meeting with Conservatee's health care facilities case workers, nurses and C&A regarding her medications, physical needs and any issues she had with the facility and her care.

Local Rule 7.16(A) provides that attorney fees and conservator commissions in conservatorship matters are awarded based upon what is just and reasonable. The Court's determination must be based upon *the justness and reasonableness of the amount of the request in relation to the total value of the conservatorship estate*. Here, the ending property on hand is stated on Schedule E, Assets on Hand as of June 30, 2014 as **\$47,101.81**, of which **\$42,601.81** is cash. Deduction of requested Conservator's commissions and Attorney fees would leave a balance remaining of **~\$18,876.81**, which will be inevitably less as of the current date.

Attorney Boyajian filed on 9/30/2014 an Amendment to Clarifying and Explanatory Declaration Previously filed on 9/6/2014, which states Petitioner is submitting a mileage log that Conservator kept track of between 1/3/2012 through 5/30/2014 showing in detail the Conservator's activities in relation to the Conservatorship; please refer to Attachment A showing Conservator expended 1,064 miles through this period, and highlights the many occasions Conservator was not at her normal job due to carrying out her responsibilities as Conservator.

Note: If Petition is granted, Court will set status hearings as follows:

- **Wednesday Thursday November 6, 2014 at 9:00 a.m. in Dept. 303** for filing proof of reduced bond; and
- **Monday, August 10, 2015 at 9:00 a.m. in Dept. 303** for filing of the second account.

Pursuant Local Rule 7.5, if the documents noted above are filed 10 days prior to the dates listed, the hearings will be taken off calendar and no appearance will be required.

Dept. 303, 9:00 a.m. Wednesday, October 8, 2014

		<p>BRYAN JENSEN was appointed conservator on 4/1/2009.</p> <p>Court Investigator JENNIFER DANIEL filed a Petition for Transfer on 6/25/14 requesting this proceeding be transferred to Los Angeles County because the conservatee has resided there since 11/12/2010, and it is presumed pursuant to Probate Code §2215 that transfer of the conservatorship case to the county of residence is in the best interests of the conservatee.</p> <p>Court Investigator further recommends that the fees and costs related to this transfer be waived.</p> <p>Objections to Transfer of Proceedings filed on 9/2/14. Bryan Jensen objects to the transfer of the proceedings to Los Angeles County. Mr. Jensen states he lives and works in Santa Barbara. He is required to file accountings every two years. Transfer of the proceedings to Santa Barbara County would have no detrimental effect on the conservatee.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>A Petition for Transfer of Proceedings to Santa Barbara County was filed by Bryan Jensen and is on page 2B.</p> <p>Note: If the petition is granted a status hearing will be set on Wednesday, November 19, 2014 for the confirmation of receipt of transfer.</p>	
Cont. from 072914, 090314				
	Aff.Sub.Wit.			
✓	Verified			
	Inventory			
	PTC			
	Not.Cred.			
✓	Notice of Hrg			
✓	Aff.Mail			W/
	Aff.Pub.			
	Sp.Ntc.			
	Pers.Serv.			
	Conf. Screen			
	Letters			
	Duties/Supp			
	Objections			
	Video Receipt			
	CI Report			
	9202			
✓	Order			
	Aff. Posting			
	Status Rpt			
	UCCJEA			
	Citation			
	FTB Notice			
		<p>Reviewed by: KT</p> <p>Reviewed on: 10/6/14</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 2A – Jensen</p>		

**Petition for Transfer of Proceedings to Santa Barbara County, California and
Objection to Transfer of Proceedings to Los Angeles County**

		BRYAN JENSEN , conservator of the person and estate, is petitioner.	NEEDS/PROBLEMS/COMMENTS: 1. Need Notice of Hearing. 2. Need proof of service of the Notice of Hearing on: a. Debra Jensen (conservatee) b. Darren Jensen (son) c. Bertha Sherbon (mother) d. Linda L. Silveira (sister) e. Virginia Hanson (sister) 3. Need Order. <u>Note:</u> If Petition is granted petitioner will need to pay the transfer fee of \$50.00 to Fresno Superior Court and also provide a check for \$435.00 payable to Santa Barbara Superior Court or a fee waiver for their filing fee. Probate Code 2216(b). <u>Note:</u> If the petition is granted a status hearing will be set on Wednesday, November 19, 2014 for the confirmation of receipt of transfer. Reviewed by: KT Reviewed on: 10/6/14 Updates: Recommendation: File 2B - Jensen
		BRYAN JENSEN was appointed conservator on 4/1/2009.	
Cont. from		Petitioner states the Conservatee, a widow, resides in Clearview Alzheimer's Care Facility located in Los Angeles County.	
	Aff.Sub.Wit.		
✓	Verified		
	Inventory	The Conservator resides in Santa Barbara County.	
	PTC		
	Not.Cred.	Court Investigator, Jennifer Daniel, petitioned the court to transfer the proceedings to Los Angeles County.	
	Notice of Hrg	X	
	Aff.Mail	X	
	Aff.Pub.	Petitioner is petitioning to transfer the proceedings to Santa Barbara County for the following reasons:	
	Sp.Ntc.		
	Pers.Serv.		
	Conf. Screen	a. The conservatee has dementia and other related problems which means she is unaware of where she resides and has no knowledge of the court jurisdiction of her conservatorship.	
	Letters		
	Duties/Supp		
	Objections	b. The conservator is employed as a Sargent for the Santa Barbara Police Department. Conservator is the person responsible for all conservatorship matters and for any necessary court appearances. In the event a court appearance in Los Angeles became necessary, there would be additional costs to the conservatorship in that the conservator would be required to take extra time off work.	
	Video Receipt		
	CI Report		
	9202		
	Order	X	
	Aff. Posting		
	Status Rpt		
	UCCJEA		
	Citation	c. Transfer of the conservatorship to Santa Barbara County would have no detrimental effect on the conservatee.	
	FTB Notice		
Wherefore, Petitioner prays that the petition for transfer of the conservatorship to Los Angeles County be denied and this conservatorship be transferred to the Superior Court of Santa Barbara.			

Atty Roberts, Gregory J., of Barrus and Roberts (for Petitioner Louis McPhederain, Conservator)
 Status Hearing Re: Blocked Account

Age: 85 years	LOUIS MCPHEDERAIN, Grandson, was appointed Conservator of the Person and Estate on 8/24/2010.	NEEDS/PROBLEMS/COMMENTS:
Cont. from 091014	Ex Parte Petition for Withdrawal of Funds from Blocked Account filed 8/11/2014 requested \$200,000.00 be withdrawn from the Conservatorship estate blocked account to be deposited into a blocked savings account (which withdrawal would bring the total deposited funds within FDIC limits.)	OFF CALENDAR
Aff.Sub.Wit.		
Verified		Receipt and Acknowledgment of Order for the Deposit of Money Into Blocked Account was filed 10/3/2014.
Inventory		
✓ Blocked Rcpt		
Not.Cred.		
Notice of Hrg	Order for Withdrawal of Funds from Blocked Account filed 8/12/2014 orders the withdrawal of the \$200,000.00 and the deposit into the blocked savings account, with receipt to be filed with the Court.	
Aff.Mail		
Aff.Pub.		
Sp.Ntc.		
Pers.Serv.		
Conf. Screen	Minute Order dated 7/23/2014 from the hearing on the Second Account and Report of Conservator set the matter for status hearing on 9/10/2014 for filing of the receipt of funds deposited into the blocked account.	
Letters		
Duties/Supp		
Objections		
Video Receipt		
CI Report		
9202		
Order		
Aff. Posting		Reviewed by: LEG
Status Rpt		Reviewed on: 10/6/14
UCCJEA		Updates:
Citation		Recommendation:
FTB Notice		File 3 - Dix

First and Final Report of Executor and Petition for Its Settlement, for Attorneys' Statutory Fees, and for Final Distribution of Estate Under Will on Waiver of Accounting (Probate Code 11600, et seq)

DOD: 01/08/14	MART B. OLLER, IV , Executor, is Petitioner.	NEEDS/PROBLEMS/COMMENTS: Note: Examiner has interlineated the Order to reflect the dollar amount to be distributed to each beneficiary.
	Accounting is waived.	
Cont. from	I & A - \$249,555.61	
Aff.Sub.Wit.	POH - \$200,693.00	
✓ Verified	Executor - waived	
✓ Inventory	Executor Costs- \$561.50 (filing fees and certified copies)	
✓ PTC	Attorney - \$7,991.11 (statutory)(Petition states that the attorney intends to take less than the statutory fee)	
✓ Not.Cred.	Attorney Costs- \$832.00 (filing fees, publication, certified copies)	
✓ Notice of Hrg	Closing - \$2,000.00	
✓ Aff.Mail w/	Distribution, pursuant to decedent's estate, is to:	
Aff.Pub.	Mart B. Oller, IV - \$94,654.19	
Sp.Ntc.	Lisa Ann Coelho - \$94,654.20	
Pers.Serv.		
Conf. Screen		
Letters 05/22/14		
Duties/Supp		
Objections		
Video Receipt		
CI Report		
✓ 9202		
✓ Order		
Aff. Posting		
Status Rpt		
UCCJEA		
Citation		
✓ FTB Notice		
		Reviewed by: JF
		Reviewed on: 10/03/14
		Updates:
		Recommendation: SUBMITTED
		File 4 - Oller

Atty Renge, Lawson K., sole practitioner (for Petitioner Charles L. Robinson)

First Amended Petition for Probate of Lost Will; Authorization to Administer Under IAEA (Prob. C. 8002, 10450)

DOD: 2/19/2014		CHARLES (CHAD) L. ROBINSON , son, is Petitioner and requests appointment as Administrator without bond.	NEEDS/PROBLEMS/COMMENTS: <u>Continued from 8/13/2014.</u> Note: Probate Code § 6124 provides if the testator's will was last in the testator's possession, the testator was competent until death, and neither the will nor a duplicate original of the will can be found after the testator's death, it is presumed that the testator destroyed the will with intent to revoke it. This presumption is a presumption affecting the burden of producing evidence. Probate Code § 8223 provides a petition for probate of a lost or destroyed will shall include a written statement of the testamentary words or their substance. If the will is proved, the provisions of the will shall be set forth in the order admitting the will to probate. ~Please see additional page~
Cont. from 062414 081314		Full IAEA — OK	
Aff.Sub.Wit.		Lost Will dated— April 1987 [exact date not specified]	
✓	Verified	Residence — Clovis	
	Inventory	Publication — Business Journal	
	PTC		
	Not.Cred.	Estimated value of the Estate:	
✓	Notice of Hrg	Personal property \$170,000.00	
✓	Aff.Mail	Total \$170,000.00	
		Probate Referee: Steven Diebert	
✓	Aff.Pub.	Petitioner states:	
	Sp.Ntc.	<ul style="list-style-type: none"> When he first filed the <i>Petition</i> in this action on 5/9/2014, the <i>Petition</i> requested administration of Decedent's estate, reserving the right to submit wills of Decedent, if any, as discovered; Since the first hearing of this matter on 6/24/2014, he has made further search for the Will of Decedent; to date, he has not been able to find her Will; However, he has personal knowledge that Decedent did make a Will on or about April 1987; the Will was prepared by Lawson K. Renge, Attorney at Law; He assisted Decedent with her personal and business affairs and is familiar with the contents of the Will, which was a "simple will" which provided that all of Decedent's property, both real and personal, was to be given to him, Charles L. Robinson, and his sister DONNA McBEE, in equal shares (Donna predeceased the Decedent on 9/22/2010); 	
	Pers.Serv.	~Please see additional page~	
	Conf. Screen		
✓	Letters		
✓	Duties/Supp		
	Objections		
	Video Receipt		
	CI Report		
	9202		
✓	Order		
	Aff. Posting		
	Status Rpt		
	UCCJEA		
	Citation		
✓	FTB Notice		
		Reviewed by: LEG	
		Reviewed on: 10/6/14	
		Updates:	
		Recommendation:	
		File 6 - Robinson	

Petitioner states, continued:

- The Will further provided that in the event that if he or Donna McBee predeceased Decedent, that predeceased child's share would be distributed to the surviving child, not to the descendants of the predeceased child;
- Also, the Will provided that he was to act as executor of the Will without bond;
- Finally, the Will was witnessed by two witnesses, one of whom was Lawson K. Renge, Attorney, who prepared the Will;
- He recalls seeing his mother's (Decedent's) Will on 8/20/2012, at her home located at Pamona Road in Firebaugh; the reason for his recollection is as follows:
 - His mother wanted a power of attorney property, giving him the power to act as her agent;
 - Her attorney, Lawson K. Renge, came to her house on 8/20/2012 for execution of the power of attorney which gave him the power to act as her agent;
 - Attorney Renge discussed her estate which included whether she wanted to change her Will in any way; when this discussion was held, his sister, Donna McBee, had previously predeceased his mother on 9/22/2010;
 - He was present when Attorney Renge asked his mother if she wanted to change her original Will because of the death of his sister;
 - His mother did not want to change her Will because according to its provisions, he was to receive all of her property because his sister had predeceased him;
 - His mother did not want to give her property to any other person at this meeting;
 - Because the Will provided that he receive all of his mother's property – his sister having predeceased him – his mother stated that she did not want her Will to be changed;
 - After executing the power of attorney, her attorney left the residence without changing the Will.
- If this estate were to be distributed according to the laws of intestate succession, the following individuals are potential beneficiaries:
 1. **PORTLIN PANGBURN**, daughter of Donna McBee;
 2. **ERIC SCOTT PANGBURN**, son of Donna McBee;
 3. **MICHAEL SCOTT PANGBURN**, grandson of Donna McBee;
 4. **BLAKE DELL SCOTT PANGBURN**, great grandson of Donna McBee.
- He took care of his mother's personal and financial business until her death on 2/19/2014;
- She never told him that she wanted to change her Will or give her property to any other person during this time;
- She never had any other attorney other than Lawson K. Renge to the best of his knowledge.

NEEDS/PROBLEMS/COMMENTS, continued:

1. It appears Petitioner is unable to find and submit as part of the instant *Petition* a photocopy of Decedent's Will for the Court to consider as a "written statement of the testamentary words or their substance". Therefore, need **verified** declaration from **Attorney Lawson K. Renge** that describes the provisions of the Decedent's Will and provides the specific date of execution of the Will (if possible), as well as describes the circumstances set forth in the *Declaration of Charles L. Robinson* attached to the *Petition*, pursuant to Probate Code § 8224 for the Court's consideration in this proceeding concerning the execution and provisions of the Decedent's lost Will.

~Please see additional page~

NEEDS/PROBLEMS/COMMENTS, continued:

2. If the lost Will of Decedent is **not** proved to the Court's satisfaction, need waivers of bond from all persons entitled to distribution under intestate succession Pursuant to Probate Code §§ 6402 and 240, or bond posted of **\$170,000.00**.
3. Need revised proposed order and letters that coincide with the instant *Amended Petition for Probate of Lost Will*, pursuant to Probate Code § 8223 which requires the provisions of the lost will to be contained in the order (i.e., provisions of the lost will specified in the proposed order with a signature line included on the page containing the provisions of the lost will for the Court's approval. *(Note: formerly submitted proposed order and letters are marked for intestate administration rather than for a lost will.)*

Petition for Appointment of Conservatorship of the Person and Estate

Age: 90 years		<u>TEMPORARY EXPIRES 10/8/14</u>		NEEDS/PROBLEMS/COMMENTS:	
		PUBLIC GUARDIAN is petitioner and requests appointment as conservator of the person and estate with medical consent powers and dementia powers to allow the administration of dementia medications.		Court Investigator advised rights on 9/25/14.	
Cont. from				1. Petition does not include the name an address of conservatee's grandson Steve Swope.	
<input type="checkbox"/>	Aff.Sub.Wit.			2. Need proof of service of the Notice of Hearing along with a copy of the Petition on grandson, Steve Swope.	
<input checked="" type="checkbox"/>	Verified	Petitioner further requests that all Powers of Attorney for health care or finances be revoked.			
<input type="checkbox"/>	Inventory				
<input type="checkbox"/>	PTC				
<input type="checkbox"/>	Not.Cred.	Declaration of Ronald L. Kleyn M.D. 8/2/14.			
<input checked="" type="checkbox"/>	Notice of Hrg	Estimated value of the estate:		Note: If the petition is granted, status hearings will be set as follows:	
<input checked="" type="checkbox"/>	Aff.Mail	<input type="checkbox"/>	W/		
<input type="checkbox"/>	Aff.Pub.			<ul style="list-style-type: none"> Wednesday, February 11 2015 at 9:00 a.m. in Department 303, for the filing of the inventory and appraisal. Wednesday, December 9, 2015 at 9:00 a.m. in Department 303, for the filing of the first account. 	
<input type="checkbox"/>	Sp.Ntc.			Pursuant to Local Rule 7.5 if the required documents are filed 10 days prior the date set the status hearing will come off calendar and no appearance will be required.	
<input type="checkbox"/>	Pers.Serv.	Petitioner states conservatorship is needed to ensure that the proposed conservatee gets to her medical appointments and that she has care in her home. Conservatorship of the estate is necessary to avoid any further misappropriation of her money.			
<input checked="" type="checkbox"/>	Conf. Screen				
<input checked="" type="checkbox"/>	Letters				
<input type="checkbox"/>	Duties/Supp				
<input type="checkbox"/>	Objections				
<input type="checkbox"/>	Video Receipt	Court Investigator Jennifer Daniel's Report filed on 9/30/14.			
<input type="checkbox"/>	CI Report				
<input type="checkbox"/>	9202				
<input checked="" type="checkbox"/>	Order				
<input type="checkbox"/>	Aff. Posting			Reviewed by: KT	
<input type="checkbox"/>	Status Rpt			Reviewed on: 10/6/14	
<input type="checkbox"/>	UCCJEA			Updates:	
<input checked="" type="checkbox"/>	Citation	<input type="checkbox"/>	W/	Recommendation:	
<input type="checkbox"/>	FTB Notice			File 7 - Posey	

Atty Cardot, John M., of Coleman & Horowitz (for Petitioner Jean N. Allred)

Verified Petition to Terminate Trusts, Waive Accounting, and Approve Attorney Fees

R. Forrest Allred DOD: 6/2/2013		<p>JEAN N. ALLRED, surviving Trustmaker and sole Trustee of the ALLRED MARITAL TRUST and the ALLRED SURVIVOR'S TRUST created under the ALLRED FAMILY TRUST OF 1989, is Petitioner.</p> <p>Petitioner states:</p> <ul style="list-style-type: none"> R. FORREST ALLRED and Petitioner were the Trustmakers and initial Trustees of the Trust, and as amended 9/29/2000 (copy of trust attached as Exhibit A); Petitioner became the sole Trustee of the Initial ALLRED FAMILY TRUST OF 1989 ("Initial Trust") pursuant to Trust terms; Upon the death of Mr. Allred, the Trust terms provided for division of the Initial Trust into 3 separate trusts: ALLRED MARITAL TRUST, the ALLRED SURVIVOR'S TRUST, and the ALLRED FAMILY TRUST; At the time of Mr. Allred's death, there were insufficient assets in the Initial Trust to fully fund the Marital Trust pursuant to Trust terms; therefore, the Family Trust was neither created nor funded pursuant to the Trust terms; Accordingly, 1/2 of the assets of the Initial Trust funded the Marital Trust and the other 1/2 of the assets funded the Survivor's Trust; Pursuant to trust terms, upon the death of Mr. Allred, both the Marital Trust and Survivor's Trust became irrevocable; As the surviving Trustmaker, Petitioner is the sole income and principal beneficiary of the Survivor's Trust pursuant to Trust terms; <p align="center">~Please see additional page~</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p>	
Cont. from				
<input type="checkbox"/>	Aff.Sub.Wit.			
✓	Verified			
<input type="checkbox"/>	Inventory			
<input type="checkbox"/>	PTC			
<input type="checkbox"/>	Not.Cred.			
✓	Notice of Hrg			
✓	Aff.Mail			W/
<input type="checkbox"/>	Aff.Pub.			
<input type="checkbox"/>	Sp.Ntc.			
<input type="checkbox"/>	Pers.Serv.			
<input type="checkbox"/>	Conf. Screen			
<input type="checkbox"/>	Letters			
<input type="checkbox"/>	Duties/Supp			
<input type="checkbox"/>	Objections			
<input type="checkbox"/>	Video Receipt			
<input type="checkbox"/>	CI Report			
<input type="checkbox"/>	9202			
✓	Order			
<input type="checkbox"/>	Aff. Posting			
<input type="checkbox"/>	Status Rpt			
<input type="checkbox"/>	UCCJEA			
<input type="checkbox"/>	Citation			
<input type="checkbox"/>	FTB Notice			
		<p>Reviewed by: LEG</p> <p>Reviewed on: 10/6/14</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 8 - Allred</p>		

Petitioner states, continued:

- Specifically, the Trustee may distribute as much of the principal of the Survivor's Trust to the surviving Trustmaker as is necessary for the surviving Trustmakers education, health, maintenance and support;
- As the surviving Trustmaker, Petitioner is also the sole income and principal beneficiary of the Marital Trust; specifically, after exhaustion of the Survivor's Trust, the Trustee may distribute as much of the principal of the Survivor's Trust to the surviving Trustmaker as is necessary for the surviving Trustmaker's education, health, maintenance and support;
- Per Trust terms, upon Petitioner's death, the remainders of the Survivor's Trust and Marital Trust are to be distributed to be following 5 contingent beneficiaries: **GARY LOWELL ALLRED, KELLY DEAN ALLRED, RICHARD ALLEN ALLRED, MARK JEFFREY ALLRED, and LAUREL JEAN LEE;**
- As of 6/30/2014, the value of the Survivor's Trust and Marital Trust assets was **~\$362,337.90**; thus the Survivor's Trust and Marital Trust each have an approximate value of **\$181,168.95**;
- As of the date of this Petition, the Survivor's Trust and Marital Trust each had no liabilities but the Petitioner expects to incur the following expenses in connection with terminating the Survivor's Trust and Marital Trust and distributing assets: **\$5,500.00** total for termination and petition work (\$3,000.00 to Coleman & Horowitz) and final tax return (\$2,500.00 to CPA);
- Petitioner desires to terminate both the Survivor's Trust and Marital Trust because (1) the Survivor's Trust and Marital Trust have so little in assets; (2) Petitioner resides in the main asset of the Survivor's Trust and Marital Trust (the Rall house), which therefore does not generate any income; and (3) what little liquid assets the Survivor's Trust and Marital Trust do hold are needed for Petitioner's health, maintenance and support; and (4) to avoid the administrative burden associated with the administration of the Survivor's Trust and Marital Trust;
- Each of the contingent beneficiaries also desire to terminate the Survivor's Trust and Marital Trust and have signed written consents to that end, along with the Petitioner (*consents attached as Exhibit B consenting to termination of the Survivor's Trust and Marital Trust*);
- No provision contained in the Trust Agreement or factual circumstance known to Petitioner would indicate that the continuance of the Survivor's Trust and/or Marital Trust is necessary to carry out a material purpose of either trust, or that the purpose of the Survivor's Trust and Marital Trust would outweigh its termination;
- Termination of the Survivor's Trust and Marital Trust is permitted by Probate Code § 15403(a) as all contingent beneficiaries have consented to termination, and by Probate Code § 15403(b) as the reason for termination of little assets and substantial administrative burden outweighs the interest in accomplishing a material purpose of those trusts;
- Petitioner and each of the contingent beneficiaries have waived any accounting of the income and expenses of the Survivor's Trust and Marital Trust, in writing by execution of consents, and therefore no accounting is required by Petitioner under Probate Code § 16064.

~Please see additional page~

Petitioner requests that:

1. No accounting of the income and expenses of either of the Survivor's Trust or Marital Trust be required of the Petitioner under Probate Code § 16064;
2. The Court terminate both the Survivor's Trust and Marital Trust pursuant to Probate Code § 15403;
3. The Court approve the payment of the **\$5,500.00** termination expenses, including attorney's fees and costs (termination and petition work @ \$3,000.00 to Coleman & Horowitz; and final tax return work @ \$2,500.00 to CPA);
4. The Court order all of the assets in the Survivor's Trust and Marital Trust, after payment of termination expenses, be distributed to Petitioner;
5. The Court discharge the Petitioner in her capacity as Trustee of the Survivor's Trust and Marital Trust on payment of the termination expenses, distribution of the assets of the Survivor's Trust and Marital Trust to the beneficiary, and the filing of final tax returns for the Survivor's Trust and Marital Trust;
6. All acts of Petitioner as Trustee of the Survivor's Trust and Marital Trust are ratified and approved; and
7. Petitioner, as Trustee of the Survivor's Trust and Marital Trust be authorized and directed to take any other action reasonably necessary to accomplish the termination of the Trusts and distribution of Trust assets.

DOD: 06/24/2014	MARIA INES GONZALEZ , wife of nephew in law, is petitioner and requests appointment as Administrator with bond set at \$100,000.00.		NEEDS/PROBLEMS/COMMENTS: <u>Note:</u> If the petition is granted status hearings will be set as follows: • Wednesday, 11/12/2014 at 9:00a.m. in Dept. 303 for the filing of the bond <u>and</u> • Wednesday, 02/11/2015 at 9:00a.m. in Dept. 303 for the filing of the inventory and appraisal <u>and</u> • Wednesday, 12/09/2015 at 9:00a.m. in Dept. 303 for the filing of the first account and final distribution. Pursuant to Local Rule 7.5 if the required documents are filed 10 days prior to the hearings on the matter the status hearing will come off calendar and no appearance will be required.
Cont. from	Full IAEA – o.k.		
<input type="checkbox"/> Aff.Sub.Wit.			
<input checked="" type="checkbox"/> Verified	Decedent died intestate		
<input type="checkbox"/> Inventory	Residence: Parlier		
<input type="checkbox"/> PTC	Publication: The Business Journal		
<input type="checkbox"/> Not.Cred.			
<input checked="" type="checkbox"/> Notice of Hrg	<u>Estimated value of the Estate:</u> Real Property - \$100,000.00 Less encumbrances -\$91,000.00 Total - \$9,000.00		
<input checked="" type="checkbox"/> Aff.Mail	w/		
<input checked="" type="checkbox"/> Aff.Pub.			
<input type="checkbox"/> Sp.Ntc.	Probate Referee: Rick Smith		
<input type="checkbox"/> Pers.Serv.			
<input type="checkbox"/> Conf. Screen			
<input checked="" type="checkbox"/> Letters			
<input checked="" type="checkbox"/> Duties/Supp			
<input type="checkbox"/> Objections			
<input type="checkbox"/> Video Receipt			
<input type="checkbox"/> CI Report			
<input type="checkbox"/> 9202			
<input checked="" type="checkbox"/> Order			
<input type="checkbox"/> Aff. Posting			
<input type="checkbox"/> Status Rpt			
<input type="checkbox"/> UCCJEA			
<input type="checkbox"/> Citation			
<input type="checkbox"/> FTB Notice			
			Reviewed by: LV
			Reviewed on: 10/06/2014
			Updates:
			Recommendation: Submitted
			File 9 - Rocha

Petition for Probate of Will and for Letters Testamentary; Authorization to
Administer Under IAEA (Prob. C. 8002, 10450)

DOD: 03/24/2014		<p>PAMELA WEBB, is petitioner and requests appointment as Administrator with Will Annexed without bond.</p> <p>All heirs waive bond.</p> <p>Full IAEA – o.k.</p> <p>Will dated: 03/12/2013</p> <p>Residence: Fresno Publication: The Business Journal</p> <p>Estimated value of the Estate:</p> <table> <tr> <td>Personal property</td> <td>-</td> <td>\$1,500.00</td> </tr> <tr> <td>Real property</td> <td>-</td> <td>\$148,000.00</td> </tr> <tr> <td>Total</td> <td>-</td> <td>\$149,500.00</td> </tr> </table> <p>Probate Referee: Steven Diebert</p>	Personal property	-	\$1,500.00	Real property	-	\$148,000.00	Total	-	\$149,500.00	<p>NEEDS/PROBLEMS/COMMENTS:</p> <ol style="list-style-type: none"> #5a(3) or #5a(4) was not answered regarding a registered domestic partner. #8 of the Petition states the petitioner is the Wife of the decedent however at #3f(2)(c) it states she is the daughter. Need clarification. Need Order. <p>Note: If the petition is granted status hearings will be set as follows:</p> <ul style="list-style-type: none"> Wednesday, 02/11/2015 at 9:00a.m. in Dept. 303 for the filing of the inventory and appraisal <u>and</u> Wednesday, 12/09/2015 at 9:00a.m. in Dept. 303 for the filing of the first account and final distribution. <p>Pursuant to Local Rule 7.5 if the required documents are filed 10 days prior to the hearings on the matter the status hearing will come off calendar and no appearance will be required.</p>
Personal property	-		\$1,500.00									
Real property	-		\$148,000.00									
Total	-		\$149,500.00									
Cont. from												
<input type="checkbox"/>	Aff.Sub.Wit.											
<input checked="" type="checkbox"/>	Verified											
<input type="checkbox"/>	Inventory											
<input type="checkbox"/>	PTC											
<input type="checkbox"/>	Not.Cred.											
<input checked="" type="checkbox"/>	Notice of Hrg											
<input checked="" type="checkbox"/>	Aff.Mail		w/o									
<input checked="" type="checkbox"/>	Aff.Pub.											
<input type="checkbox"/>	Sp.Ntc.											
<input type="checkbox"/>	Pers.Serv.											
<input type="checkbox"/>	Conf. Screen											
<input checked="" type="checkbox"/>	Letters											
<input checked="" type="checkbox"/>	Duties/Supp											
<input type="checkbox"/>	Objections											
<input type="checkbox"/>	Video Receipt											
<input type="checkbox"/>	CI Report											
<input type="checkbox"/>	9202											
<input type="checkbox"/>	Order	x										
<input type="checkbox"/>	Aff. Posting											
<input type="checkbox"/>	Status Rpt											
<input type="checkbox"/>	UCCJEA											
<input type="checkbox"/>	Citation											
<input type="checkbox"/>	FTB Notice											
		<p>Reviewed by: LV</p> <p>Reviewed on: 10/06/2014</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 10 - Lawler</p>										

Status Hearing Re: Filing of the Inventory and Appraisal

DOD: 02/21/2014		J. CHARLES HOWE , son was appointed Administrator with full IAEA without bond on 05/08/2014.	NEEDS/PROBLEMS/COMMENTS:
		Letters issued 05/12/2014	1. Need Inventory and Appraisal or current written status report pursuant to Local Rule 7.5 which states in all matters set for status hearing verified status reports must be filed no later than 10 days before the hearing. Status Reports must comply with the applicable code requirements. Notice of the status hearing, together with a copy of the Status Report shall be served on all necessary parties.
Cont. from		Minute Order of 05/08/2014 set this Status Hearing for the filing of the Inventory and Appraisal.	
<input type="checkbox"/>	Aff.Sub.Wit.		
<input type="checkbox"/>	Verified		
<input type="checkbox"/>	Inventory		
<input type="checkbox"/>	PTC		
<input type="checkbox"/>	Not.Cred.		
<input type="checkbox"/>	Notice of Hrg		
<input type="checkbox"/>	Aff.Mail		
<input type="checkbox"/>	Aff.Pub.		
<input type="checkbox"/>	Sp.Ntc.		
<input type="checkbox"/>	Pers.Serv.		
<input type="checkbox"/>	Conf. Screen		
<input type="checkbox"/>	Letters		
<input type="checkbox"/>	Duties/Supp		
<input type="checkbox"/>	Objections		
<input type="checkbox"/>	Video Receipt		
<input type="checkbox"/>	CI Report		
<input type="checkbox"/>	9202		
<input type="checkbox"/>	Order		
<input type="checkbox"/>	Aff. Posting		
<input type="checkbox"/>	Status Rpt		
<input type="checkbox"/>	UCCJEA		
<input type="checkbox"/>	Citation		
<input type="checkbox"/>	FTB Notice		
			Reviewed by: LV
			Reviewed on: 10/06/2014
			Updates:
			Recommendation:
			File 12 - Beard

Status Hearing Re: Failure to File Receipt for Blocked Account

Age: 15 DOB: 02/09/1999		NEEDS/PROBLEMS/COMMENTS: <u>OFF CALENDAR.</u> <u>RECEIPT FOR BLOCKED</u> <u>ACCOUNT FILED 10/02/2014.</u>
Cont. from		
<input type="checkbox"/>	Aff.Sub.Wit.	
<input type="checkbox"/>	Verified	
<input type="checkbox"/>	Inventory	
<input type="checkbox"/>	PTC	
<input type="checkbox"/>	Not.Cred.	
<input type="checkbox"/>	Notice of Hrg	
<input type="checkbox"/>	Aff.Mail	
<input type="checkbox"/>	Aff.Pub.	
<input type="checkbox"/>	Sp.Ntc.	
<input type="checkbox"/>	Pers.Serv.	
<input type="checkbox"/>	Conf. Screen	
<input type="checkbox"/>	Letters	
<input type="checkbox"/>	Duties/Supp	
<input type="checkbox"/>	Objections	
<input type="checkbox"/>	Video Receipt	
<input type="checkbox"/>	CI Report	
<input type="checkbox"/>	9202	
<input type="checkbox"/>	Order	
<input type="checkbox"/>	Aff. Posting	
<input type="checkbox"/>	Status Rpt	
<input type="checkbox"/>	UCCJEA	
<input type="checkbox"/>	Citation	
<input type="checkbox"/>	FTB Notice	
		Reviewed by:
		Reviewed on:
		Updates:
		Recommendation:
		File 13 - Bennett

[illegible]

Petition for Appointment of Guardian of the Person (Prob. C. 1510)

Age: 11 years		<u>Temporary Expires 10/08/2014</u>		NEEDS/PROBLEMS/COMMENTS: 1. Need Notice of Hearing. 2. Need proof of service fifteen (15) days prior to the hearing of the Notice of Hearing along with a copy of the Petition for Appointment of Guardian or consent and waiver of notice for: <ul style="list-style-type: none"> Maternal Grandfather (Unknown) – Unless the Court dispenses with Notice. Note: Declaration of Due Diligence simply states “unknown.” <ul style="list-style-type: none"> Deborah Blakely (Maternal Grandmother) – Unless the Court dispenses with notice. Note: Declaration of Due Diligence states that the petitioner only met the maternal grandmother once and her whereabouts are unknown.
		DEBRA DELANEY , paternal grandmother, is petitioner.		
		Father: TODD DELANY – consents and waives notice.		
Cont. from		Mother: MEGAN BLAKELY – Court dispensed with notice pursuant to minute order of 08/18/2014		
	Aff.Sub.Wit.			
✓	Verified			
	Inventory			
	PTC			
	Not.Cred.			
	Notice of Hrg	x		
	Aff.Mail	x		
	Aff.Pub.			
	Sp.Ntc.			
	Pers.Serv.	n/a		
✓	Conf. Screen			
✓	Letters			
✓	Duties/Supp			
	Objections			
	Video Receipt			
✓	CI Report			
	9202			
✓	Order			
	Aff. Posting			
	Status Rpt			
✓	UCCJEA			
	Citation			
	FTB Notice			
		Paternal grandfather: Deceased. Maternal grandfather: Unknown – Declaration of Due Diligence. Maternal grandmother: Deborah Blakely – Declaration of Due Diligence.		
		Petitioner states mom is on drugs and homeless. The child has lived with her since July 2013. Mom is calling child, wants to take the child but the child does not want to go with her.		
		Attached to the petition is the CPS Team Decision Making Meeting Summary which indicates that the child should be placed with the petitioner.		
		Also attached to the petition are letters in support of the petition for guardianship from various individuals including the minor and the father.		
		Court Investigator Anita Morris' report filed 09/15/2014.		
Reviewed by: LV				
Reviewed on: 10/06/2014				
Updates:				
Recommendation:				
File 16 - Blakely				

Petition for Appointment of Temporary Conservator of the Person

Mariam Age: 17 Monay Age: 17 			<u>TEMPORARY GRANTED EX PARTE EXPIRES</u> <u>10/08/2014</u> <u>GENERAL HEARING 12/02/2014</u>			NEEDS/PROBLEMS/COMMENTS: 1. Need proof of personal service five (5) days prior to the hearing of the Notice of Hearing along with a copy of the Petition for Appointment of Temporary Guardian or consent and waiver of notice or declaration of due diligence for: <ul style="list-style-type: none"> Gilbert Sebastian Perez (Father) – Unless the Court dispenses with notice. Note: Declaration of Due Diligence states that the mother has not had a relationship with the father since that one night she met him 17 years ago. 2. Page #5 of the Guardianship Petition – Child Information Attachment (GC 210(CA)) which pertains to whether the children have Native American Ancestry was not completed. Need declaration with page #5 attached.		
Cont. from			RAMONA ESTHER RUBIO , maternal grandmother, is petitioner.					
	Aff.Sub.Wit.		Father: GILBERT SEBASTIAN PEREZ , Declaration of Due Diligence filed 09/30/2014					
✓	Verified		Mother: DENISE I. TOBON , Consents and Waives Notice					
	Inventory		Paternal Grandparents: Not Listed Maternal Grandparents: Not Listed					
	PTC		Minors: Mariam Tobon, Monay Tobon, Consent and Waive Notice					
	Not.Cred.		Petitioner states: guardianship is necessary because of the mother's continued drug use. CPS recommended that the petitioner seek guardianship because mother has failed to comply with CPS service action plan to test for drugs with the probation office.					
✓	Notice of Hrg		Attached to the Petition is the CPS/DSS Team Decision Making Report which states that the children shall reside with the petitioner.					
	Aff.Mail	n/a						
	Aff.Pub.							
	Sp.Ntc.							
✓	Pers.Serv.	w/						
✓	Conf. Screen							
✓	Letters							
✓	Duties/Supp							
	Objections							
	Video Receipt							
	CI Report							
	9202							
✓	Order							
	Aff. Posting							
	Status Rpt							
✓	UCCJEA							
	Citation							
	FTB Notice							
						Reviewed by: LV		
						Reviewed on: 10/06/2014		
						Updates:		
						Recommendation:		
						File 21 - Tobon		